



01173/100C071-US6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul O. ZAMORA et al.

Serial No.: 10/733,426

Group Art Unit: 1616

Filed: December 10, 2003

Examiner: Dameron L. JONES

Confirmation No.: 2146

For: POST-LABELING STABILIZATION OF RADIOLABELED PROTEINS AND
PEPTIDES

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned is an attorney of record in the above-identified patent application, of which RHOMED INCORPORATED, c/o Palatin Technologies, Inc., 4-C Cedar Brook Drive, Cedar Brook Corporate Center, Cranbury, New Jersey 08512, is the owner of the entire right, title, and interest in this patent application by assignment from the inventors. The assignment document is dated September 17, 1997 and September 25, 1997 (copy attached hereto as Exhibit A) and was recorded by the U.S. Patent and Trademark Office on September 13, 1999, at Reel 010234, Frame 0845, during the prosecution of parent application Serial No. 08/794,311, now U.S. Patent No. 6,066,309 of which the present application is a divisional.

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RHOMED INCORPORATED hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on this application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 and § 173 of U.S. Patent No. 6,066,309, and hereby agrees that any patent granted on this application shall be enforceable only during such period that the legal title to the granted patent shall be the same as the legal title to U.S. Patent No. 6,066,309. This agreement runs with any patent granted on this application and is binding upon the grantee, its successors and assigns.

The statutory fee of \$130.00 for a disclaimer is enclosed.

RHOMED INCORPORATED does not disclaim the terminal part of any patent granted on this application prior to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 and § 173 of U.S. Patent No. 6,066,309, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); has all claims cancelled by a reexamination certificate; is reissued, or is in any manner terminated prior to the expiration date of its full statutory term.

Respectfully submitted,



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Docket No. 01173/1C00071-US6

Terminal Disclaimer to Obviate
a Double Patenting Rejection

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